

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRUCE G. KANIA ET AL
SERIAL NO: 09/121,300
FILED: JULY 23, 1998
FOR: GEL AND CUSHIONING DEVICE

GAU: 3738
EXAMINER: WILLSE

#17
P. S. Byrce
11/15/00

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



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SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

PETITION

- ☐ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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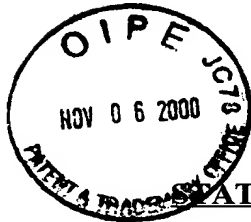
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NOV 06 2000

Re: In re Application of: **BRUCE G. KANIA ET AL**
U.S. Application Serial No.: **09/121,300**
Filing Date: **JULY 23, 1998**
For: **GEL AND CUSHIONING DEVICE**
Group Art Unit: **3738**
Examiner: **WILLSE**



STATEMENT OF RELEVANCY

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Attached hereto is a prosthetic sheath provided by Silipos. Also attached is an Invoice from 1993. Silipos alleges that the 1993 invoice describes an item "1215 SILOSHEATH," and that this item no. 1215 corresponds to the attached item no. 12155. Silipos has explained that the right hand most numeral "5" was added to the item no. designation in 1995.

Applicant is currently investigating the actual date of the alleged prior art. Importantly, Applicants have noted the indication on the product package, opposite side to the designation of item no. "12155" which indicates "SADMERC code effective 1/1/97" (emphasis provided).

Applicant is thus uncertain as to the status of the enclosed prosthetic sheath. In addition, however, Applicants pending claims provide for features which are neither anticipated by nor obvious over the enclosed prosthetic sheath.



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